



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/862,039	05/22/97	BIRD	D

DONALD S DOWDEN
COOPER & DUNHAM
1185 AVENUE OF THE AMERICAS
NEW YORK NY 10036

PMS2/0316

EXAMINER
ELLUM, T

ART UNIT	PAPER NUMBER
3642	3

DATE MAILED: 03/16/98

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-49 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 1-27 is/are allowed.
- ☒ Claim(s) 28-49 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 3642

1. This reissue application was filed without the required offer to surrender the original patent or, if the original is lost or inaccessible, an affidavit or declaration to that effect. The original patent, or an affidavit or declaration as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CFR 1.178.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 28-34, 36, 38-40, 42, and 44-49, are rejected under 35 U.S.C. 102(e) as being anticipated by Song (5,208,756).

Song teaches the claimed method and apparatus for disclosing the present location of a vehicle including: means 19 for performing in-vehicle processing of signals to obtain a fix of vehicle location, means (25 and column 7, lines 43-68) for receiving a paging request, means (23 and column 10, lines 38-49) responsive to the paging request for transmitting the fix to a designated service center 17, a plurality of satellites (column 1, lines 28-38), using a cellular telephone (Abstract), and notifying police (column 1, lines 23-27, and column 2, lines 13-17).

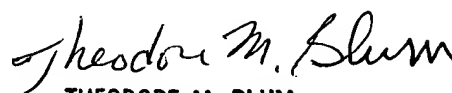
Art Unit: 3642

4. Claims 35, 37, 41, and 43, are rejected under 35 U.S.C. 103(a) as being unpatentable over Song (5,208,756) in view of Darnell et al (5,043,736) .

To increase the accuracy of the location system of Song, obviously the location unit 19 of Song can be the GPS type taught by Darnell et al.

5. Claims 1-27 are allowed.

6. Any inquiry concerning this communication should be directed to Theodore Blum at telephone number (703) 305-1833.


THEODORE M. BLUM
EXAMINER
GROUP ART UNIT 222